

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

UTAH RETIREMENT SYSTEMS,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiff,

v.

HEALTHCARE SERVICES GROUP, INC.,  
DANIEL P. MCCARTNEY, THEODORE  
WAHL, JOHN C. SHEA, and MATTHEW J.  
MCKEE,

Defendants.

Case No. 2:19-cv-01227-ER

**LEAD PLAINTIFF'S MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION  
AND FOR CERTIFICATION OF SETTLEMENT CLASS**

Pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Preliminarily Approving Settlement and Providing for Notice dated September 14, 2021 (ECF No. 72), Lead Plaintiff Utah Retirement Systems ("URS"), through its undersigned counsel, respectfully moves this Court for entry of an Order: (1) granting final approval of the proposed Settlement<sup>1</sup> set forth in the Stipulation as fair, reasonable, and adequate; (2) approving the Plan of Allocation as fair, reasonable, and adequate; and (3) certifying the Settlement Class for purposes of effectuating the Settlement.

This Motion is supported by (i) the accompanying Memorandum of Law in Support of Lead Plaintiff's Motion for Final Approval of Class Action Settlement and Plan of Allocation and for Certification of the Settlement Class; (ii) the Declaration of Patrick T. Egan in Support of

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<sup>1</sup> All defined terms not otherwise defined herein shall have the same meaning as set forth in the Stipulation and Agreement of Settlement (including attachments thereto), dated June 29, 2021 and filed on June 30, 2021 (ECF No. 70-4, the "Stipulation").

(1) Lead Plaintiff's Motion for Final Approval of Class Action Settlement and Plan of Allocation and for Certification of the Settlement Class and (2) Lead Plaintiff's Counsel's Motion for an Award of Attorneys' Fees, Litigation Costs and Expenses and Award to Lead Plaintiff Pursuant to 15 U.S.C. § 78u-4(A)(4), and the exhibits attached thereto; (iii) all pleadings and records filed herein; (iv) the argument of counsel; (v) such oral and documentary evidence as may be presented at the hearing of this motion; and (vi) such other and further material as the Court may request and consider.

A proposed Final Judgment and Order of Dismissal With Prejudice granting the requested relief is submitted herewith.

DATED: December 3, 2021

**BERMAN TABACCO**

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and

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& Liaison Counsel for the Class*

**CERTIFICATE OF SERVICE**

I certify that on the 3rd of December, 2021, a true and correct copy of the foregoing document was filed with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.

*/s/ Patrick T. Egan*

Patrick T. Egan